

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

THE VERACITY GROUP, INC. et al., : Case No. 1:11-cv-526  
:   
Plaintiff, :  
: Judge Timothy S. Black  
vs. : Magistrate Judge Stephanie K. Bowman  
:   
COOPER-ATKINS CORPORATION, :  
: Defendant. :

**ORDER GRANTING DEFENDANT'S MOTION TO STAY DISCOVERY (Doc. 20)**

This case is currently before the Court on Defendant's Motion to Stay Discovery or, in the Alternative, for a Protective Order (Doc. 20) and the parties' responsive memoranda (Doc. 21, Doc. 22).

"Trial courts have broad discretion and inherent power to stay discovery until preliminary questions that may dispose of the case are determined." *Hahn v. Star Bank*, 190 F.3d 708, 719 (6th Cir. 1999). Limitations on pretrial discovery are particularly appropriate "where claims may be dismissed based on legal determinations that could not have been altered by any further discovery." *Gettings v. Bldg Laborers Local 310 Fringe Benefits Fund*, 349 F.3d 300, 304 (6th Cir. 2003) (internal quotations omitted). See also Fed. R. Civ. P. 26(b)(2)(C)(iii) (The Court must limit discovery if "the burden or expense of the proposed discovery outweighs its likely benefit, considering the needs of the case, the amount in controversy, the parties' resources, the importance of the issues at stake in the action, and the importance of the discovery in resolving the issues.").

The Court finds that Defendant's Motion to Dismiss for Failure to State a Claim (Doc. 10) presents preliminary legal questions that may or may not resolve the case. The brief delay in discovery is outweighed by the need to take a close look at the motion to dismiss. Therefore, Defendant's motion is **GRANTED** and all discovery is hereby **ORDERED STAYED** pending the Court's ruling on Defendant's Motion to Dismiss (Doc.10).

**IT IS SO ORDERED.**

Date: 1/18/2012

